STATE CONSUMER DISPUTES REDRESSAL COMMISSION UTTARAKHAND
DEHRADUN

Date of Admission: 21.04.2026
Date of Final Hearing: 27.10.2026
Date of Pronouncement: 30.10.2026

SC/5/A/25/2024

Dr. Ramesh Singh Danu S/o late Roop Singh
R/o Dubkiya, Almora
District Almora

(Through: Ms. Chandra Kala, Advocate)
…… Appellant

Versus

Vishal Mega Mart
through Manager, L.R. Shah Road
Almora, District Almora

(Through: Sh. Rahul Gupta, Advocate)
…… Respondent

Coram:
Ms. Kumkum Rani, President
Mr. B.S. Manral, Member

ORDER

(Per: Ms. Kumkum Rani, President):

This is complainant's appeal under Section 41 of the Consumer Protection Act, 2019 against the impugned judgment and order dated 22.08.2024 passed by learned District Consumer Disputes Redressal Commission, Almora (hereinafter to be referred as "The District Commission") in consumer complaint No. 28 of 2023, styled as Dr. Ramesh Singh Danu Vs. Vishal Mega Mart, whereby the consumer complaint filed by the appellant / complainant was dismissed.

2. The facts giving rise to the present appeal, in brief, are, as such that on 18.01.2023, the appellant / complainant had made purchase of certain goods at the respondent / opposite party – Vishal Mega Mart, for which bill No. 7051580048832 for Rs. 1,435/- was issued by the Store. In the bill so raised by the respondent / opposite party, an amount of Rs. 18/- was charged towards shopping / carry bag, which amounts to unfair trade practice on their part. In this regard, the complainant through his counsel sent a legal notice dated 27.01.2023 to the opposite party, but to no avail. Thus, the complainant was forced to institute a consumer complaint before the District Commission.

3. The respondent / opposite party filed written statement before the District Commission and pleaded that after purchase of the items by the complainant, at the time of billing, the Store Executive at the cash counter had duly apprised the complainant about the charges of different types of carry bags and it was also informed that in case the complainant does not want to purchase a carry bag, he has an option to use his own carry bag. Moreover, it has clearly been displayed at the billing counter and also at various places in the Store that the customer may purchase the carry bags of different variants as per their requirement, which are available at the Store at different prices. The complainant himself chose to purchase the carry bag worth Rs. 18/-. The Store is not liable to provide carry bag to the customer without any charge / cost. There exists no law that mandates free provisioning of carry bag to the customer. There has not been any deficiency in service or unfair trade practice on the part of the opposite party, hence the consumer complaint is liable to be dismissed.

4. The District Commission, after hearing learned counsel for the parties and after taking into consideration the material available on record, dismissed the consumer complaint vide impugned judgment and order dated 22.08.2024. Feeling aggrieved by the impugned judgment and order, the complainant has preferred the instant appeal before this Commission as appellant.

5. We have heard learned counsel for the parties and perused the record.

6. There is no averment in the consumer complaint that he was forced / compelled by the Store Executive present at the cash counter to purchase the carry bag. If the complainant was not willing to purchase the carry bag, there was no compulsion upon him to have purchase the same and he should have taken the goods purchased by him at the Store, on his own arrangement. It is not the case of the complainant that at the time of billing, he made any protest against charging of amount against the carry bag. The complainant had chosen to purchase the carry bag at his own free will. The complainant had an option not to purchase the goods from the Store by requesting the employees of the Store for not generating the bill, but he did not do so and the complainant made the decision to purchase the carry bag consciously and out of his free will and consent.

7. Learned counsel for the appellant cited judgment dated 22.12.2020 of Hon'ble National Commission passed in **Revision Petition No. 975 of 2020; Big Bazaar (Future Retail Ltd.) Vs. Sahil Dawar**, wherein the primary issue was whether the additional charge of Rs. 18/- for carry bags constitutes an unfair trade practice, thereby

infringing upon the rights of consumers. It was held by Hon'ble National Commission that levy of additional costs for carry bags at payment counter without prominent prior notice, constitutes an unfair trade practice. In the case before hand, the respondent / opposite party has specifically come up with the defence that it was duly displayed at the billing counter and also at various places in the Store that the customer may purchase the carry bags of different variants as per their requirement, which are available at the Store at different prices and that the complainant had opted to purchase the carry bag at his own free will. It is also not the case of the complainant that he was not made aware that he would be charged for the cost of carry bag or that he was misrepresented in any way by the Store Executive at the billing counter. It is also well settled that the shopkeeper is under no obligation to supply carry bags and that too, without any cost and there is no law which mandates providing free carry bag to the customer. Thus, the judgment cited by learned counsel for the appellant has no application to the facts and circumstances of the instant case.

8. Under the present scenario, the District Commission was completely justified in dismissing the consumer complaint per impugned judgment and order. We do not find any scope to interfere with the impugned judgment and order passed by the District Commission. The appeal being bereft of merit, is liable to be dismissed.

9. Appeal is dismissed. No order as to costs of the appeal.

10. A copy of this Order be provided to all the parties free of cost as mandated by the Consumer Protection Act, 1986 / 2019. The Order be uploaded forthwith on the website of the Commission for the perusal of

the parties. A copy of this Order be sent to the concerned District Commission for record and necessary information.

11. File be consigned to record room along with a copy of this Order.

(**Ms. Kumkum Rani**)
President

(**Mr. B.S. Manral**)
Member

Pronounced on: 30.10.2026